



Agenda

REGULAR MEETING OF
THE GOVERNING BODY
NOVEMBER 14, 2018
CITY COUNCIL CHAMBERS

AFTERNOON SESSION – 5:00 P.M.

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. SALUTE TO THE NEW MEXICO FLAG
4. INVOCATION
5. ROLL CALL
6. APPROVAL OF AGENDA
7. APPROVAL OF CONSENT CALENDAR
8. APPROVAL OF MINUTES: Regular City Council Meeting – October 31, 2018
9. PRESENTATIONS
10. CONSENT CALENDAR
 - a) Request for the Approval of Amendment No. 1 to Memorandum of Agreement in the Total Amount of \$60,000 for Clinical Supervision of Navigation Services Provided by Santa Fe Fire Department Mobile Integrated Health Office (MIHO); Santa Fe County. (Andres Mercado, MIH Officer, ajmercado@santafenm.gov, 955-3604.)
 - b) Request for the Approval of Amendment No. 5 to Annual Maintenance Agreement in the Total Amount of \$64,517.60 for City of Santa Fe Public Library Integrated System; Innovative Interfaces Inc. III. (Patricia Hodapp, Library Division Director, pchodapp@santafenm.gov, 955-67880)
 - c) Request for Approval of Community Development Block Grant Contract (CDBG) in the Total Amount of \$47,921 for Mortgage Principle Reduction Assistance; Homewise. (Jacqueline Beam, Office of Affordable Housing Planner, jybeam@santafenm.gov, 955-6574)

RECEIVED AT THE CITY CLERK'S OFFICE

DATE: November 9, 2018

TIME: 3:30 p.m.



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- d) Request for Approval of Community Development Block Grant Contract (CDBG) in the Total Amount of \$47,921 for Downpayment Assistance; Santa Fe Community Housing Trust. (Jacqueline Beam, Office of Affordable Housing Planner, jybeam@santafenm.gov, 955-6574)
- e) Request for Approval of Budget Amendment in the Amount of \$84,108.73 for Redistribution to the General Fund; and Request for Approval to Redistribute a Portion of These Funds (\$17,206.50) Into the HUD Shelter Plus Care/Continuum of Care Grant Line Item. (Alexandra Ladd, Office of Affordable Housing Director, agladd@santafenm.gov, 955-6346)
- f) Request for Approval of Amendment No. 1 to Community Development Block Grant Contract (CDBG) in the Amount of \$10,183 for Home Improvement Assistance; Homewise. (Jacqueline Beam, Office of Affordable Housing Planner, jybeam@santafenm.gov, 955-6574)
- g) Request for Approval of Amendment No. 1 to Community Development Block Grant Contract (CDBG) in the Amount of \$28,752 for Home Improvement Assistance; Santa Fe Habitat for Humanity. (Jacqueline Beam, Office of Affordable Housing Planner, jybeam@santafenm.gov, 955-6574)
- h) Request for Approval of Professional Services Agreement in the Amount of \$284,000 (\$71,000 per year) for Operation of the Public Access Channel; Santa Fe Community College. (Joe Abeyta, Multimedia Manager, jmabeyta@santafenm.gov, 955-6037)
- i) Request for Approval of Amendment No. 1 to Professional Services Agreement in the Total Amount of \$33,703.28 for Professional Security Services; Universal Protection Service, LP/DBA Allied Universal Security Services. (David Silver, Emergency Manager, dmsilver@santafenm.gov, 955-6537)
- j) Request for Approval of Amendment No. 2 to Professional Services Agreement to Add Performance Requirements and Contract Liquidated Damages; Universal Protection Service, LP/DBA Allied Universal Security Services. (David Silver, Emergency Manager, dmsilver@santafenm.gov, 955-6537)
- k) Request for Approval of Professional Services Agreement in the Amount of \$236,121.40 to Replace the Video Distribution and Audio System Controls in the Santa Fe Community Convention Center With a Specified Crestron NVX System; SGR Media Inc., dba 5 Words Media. (Melanie Moore, Santa Fe Community Convention Center Operations Manager, mkmoore@santafenm.gov, 955-6219)



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- l) Request for Approval of Professional Service Agreement in the Total Amount of \$103,316.69 for HVAC Maintenance; Yearout Services LLC. (Caryn Grosse, Facilities Project Administrator, clgrosse@santafenm.gov, 955-5938)
- m) Request for Approval of RFP '18/47P in the Total Amount of \$240,000 for Ice Arena Mechanical Services; Travers Mechanical Service. (Tom Miller, Ice Arena Manager, temiller@santafenm.gov, 955-4031)
- n) Request for Approval of Procurement in the Amount of \$71,197.97 for SFGTV-28 High Definition Upgrade Equipment Phase II; Team 1st Technologies, LLC. (Joe Abeyta, Multimedia Manager, jmabeyta@santafenm.gov, 955-6037)
- o) Request for Approval to Procure Microsoft Office 365 in the Amount of \$346,822.62 for 3 Year Term for Citywide Departments; State Price Agreement 60-000-15-00020AA, En Pointe. (Yodel Catanach, Contract Analyst, yocatanach@santafenm.gov, 955-5575 and Joshua Elicio, ITT Department Director, juelicio@santafenm.gov, 955-5576)
- p) Request for Approval to Procure Software for ACD Reporting Upgrade for Call Centers and Enhancement Feature for Billing Utilities in the Amount of \$118,920.52 for 4 Year Term; State Price Agreement, Altura. (Yodel Catanach, Contract Analyst, yocatanach@santafenm.gov, 955-5575 and Caryn Fiorina, Utility Billing Division Director, cyfiorina@santafenm.gov, 955-4364)
- q) Request for the Approval to Procure Six Collection Vehicle Replacements for Environmental Services Division Commercial and Residential Fleet in the Total Amount of \$2,104,107 Using Cooperative Education Services; Bruckner's Truck Sales. (Lawrence Garcia, Environmental Services Division Project Administrator, lmgarcia@santafenm.gov, 955-2241)
- r) Request for Approval of Award of Bid #18/13/B in the Amount of Up to \$50,000 per Year for Fiscal Years 2018/2019 through 2021/2022 for Turf Products; Helena Chemical Company. (Jennifer Romero, MRC Manager, jcromero@santafenm.gov, 955-4465)
- s) Request for Approval to Procure Food Products, Services and Equipment Using Cooperative and State Price Agreements; Labatt Foods (New Vendor), Sysco Foods, Shamrock Foods and Ben E. Keith Foods. (Eugene Rinaldi, Division of Senior Services Director, earinaldi@santafenm.gov, 955-4710)



Agenda

REGULAR MEETING OF
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- t) Request to Publish Notice of Public Hearing on December 12, 2018:
- 1) **Bill No. 2018-22.** An Ordinance Amending Subsection 6-17.2 to Remove References to the Economic Development Review Subcommittee; Repealing Section 6-17.6 Regarding the Economic Development Review Subcommittee; Repealing Subsection 11-11.6 Regarding the Economic Development Review Subcommittee; Amending Subsection 11-11.8 to Remove References to the Economic Development Review Subcommittee; and Repealing Sections 6-8 and 19-10 Regarding the Grievance Review Board. (Mayor Webber) (Jesse Guillen, Legislative Liaison, jbguillen@santafenm.gov, 955-6518)
 - 2) **Bill No. 2018-23.** An Ordinance Concerning the Municipal Wastewater Utility System of the City of Santa Fe, New Mexico (The "System"); Providing for the Issuance of the City's Net System Improvement Bonds, Series 2018, in an Aggregate Principal Amount not to Exceed \$16,525,000 for the Enlargement, Betterment, Repair and Other Improvement of the System; Providing that the Bonds Shall be Payable Solely Out of the Net Revenues Derived from the Operation of the System; Providing for the Acquisition of a Reserve Fund Insurance Policy in Connection with the Debt Service Reserve Fund Established in Connection with the Bonds; Providing for the Disposition of the Revenues Derived from the Operation of the System; Providing the Form, Terms and Condition of the Bonds, The Method of Paying the Principal of and Interest on the Bonds and the Security Therefor; Prescribing Other Details Concerning the System Revenues, Bonds and the System, Including but Not Limited to Covenants and Agreements in Connection Therewith and with Future Financing Therefor; Approving Forms of a Preliminary Official Statement and a Continuing Disclosure Undertaking in Connection with the Bonds; Delegating Authority to the Mayor, City Manager, and Finance Director of the City to Determine the Exact Principal Amounts, Maturity Dates, Interest Rates, Prices, Redemption Features and Other Final Terms of the Bonds Pursuant to a Final Terms Certificate; Ratifying Action Previously Taken In Connection Therewith; and Repealing All Ordinances in Conflict Herewith. (Councilor Rivera) (Brad Fluetsch, Finance Planning & Reporting Officer, bjfluetsch@santafenm.gov, 955-6885)



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- u) CONSIDERATION OF RESOLUTION NO. 2018-____. (Finance Committee)
A Resolution Relating to a Request for Approval of First Quarter Budget Amendments for Fiscal Year 2018/2019. (Andy Hopkins, Senior Budget Analyst, ajhopkins@santafenm.gov, 955-6177)
- v) CONSIDERATION OF RESOLUTION NO. 2018-____. (Mayor Webber, Councilor Ives, Councilor Vigil Coppler and Councilor Harris)
A Resolution Urging the New Mexico State Legislature to Support and Enact Legislation Related to the Legalization, Decriminalization, and/or Regulation of Cannabis and Cannabis-Related Products for Recreational Use. (Jesse Guillen, Legislative Liaison, jbguillen@santafenm.gov, 955-6518)
- w) CONSIDERATION OF RESOLUTION NO. 2018-____. (Mayor Webber)
A Resolution Repealing Resolution 1998-77 Establishing the Parking Advisory Committee; Resolution 2014-14 Establishing the Apprenticeship Development Task Force; and Resolution 2014-19 Establishing the Community Hospital and Health Care Study Group. (Jesse Guillen, Legislative Liaison, jbguillen@santafenm.gov, 955-6518)
- x) CONSIDERATION OF RESOLUTION NO. 2018-____. Mayor Webber, Councilor Harris and Councilor Ives)
A Resolution Urging the New Mexico Legislature to Adopt Comprehensive Gun Violence Prevention Laws During the 2019 Legislative Session to Address Possession of Firearms by Domestic Violence Offenders Under Protective Orders, Child Access Prevention, Gun Violence Restraining Orders, Background Checks, and a Ban on the Sale of Bumpstocks. (Jesse Guillen, Legislative Liaison, jbguillen@santafenm.gov, 955-6518)
- y) CONSIDERATION OF RESOLUTION NO. 2018-____. (Councilor Vigil Coppler)
A Resolution Authorizing and Supporting the Submittal of the City's Project Application via the Santa Fe Metropolitan Planning Organization for New Mexico Department of Transportation Administered Funding from the Transportation Alternatives Program for Federal Fiscal Years 2020 and 2021.
(Leroy Pacheco, Engineer Supervisor, lnpacheco@santafenm.gov, 955-6853)



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- z) CONSIDERATION OF RESOLUTION NO. 2018-____. (Mayor Webber and Councilor Ives)
A Resolution Adopting the Sustainable Santa Fe 25-Year Sustainability Plan with the Goal of Achieving Carbon Neutrality by the Year 2040. (Shirlene Sutton, Environmental Services Division Director, sesitton@santafenm.gov, 955-2209)
- aa) Request for Approval of City of Santa Fe Schedule for 2019 City Council and Council Committee Meetings. (Yolanda Y. Vigil, City Clerk, [yyvigil@santafenm.gov](mailto:yvigil@santafenm.gov), 955-6521)
- 11. Advancing Affordable Housing and Livable Neighborhoods: Recommendations from the Mayor's Task Force on Affordable Housing". (Task Force Co-Chairs: Carol Luna-Anderson, Lifelink and Mike Loftin, Homewise; Task Force Members: Dion Silva, LANB; Edgar Vergara, Chainbreaker; Tarrie Burnett, Homewise; and Alexandra Ladd, Office of Affordable Housing Director, agladd@santafenm.gov, 955-6346) **(Informational Only)**
- 12. Request for Approval of Designation of Liquor License Hearing Officers. (Erik Litzenberg, City Manager, ejlitzenberg@santafenm.gov, 955-6848)
- 13. Request for Approval of Legal Services Agreement for Representation in Case Against the New Mexico Taxation and Revenue Department, Based on a Contingency Fee or Negotiated Fees; Gallagher & Kennedy. (Erin McSherry, City Attorney, ekmcsherry@santafenm.gov, 955-6961)
- 14. MATTERS FROM THE CITY MANAGER
- 15. MATTERS FROM THE CITY ATTORNEY
- 16. MATTERS FROM THE CITY CLERK
- 17. COMMUNICATIONS FROM THE GOVERNING BODY

EVENING SESSION – 7:00 P.M.

- A. CALL TO ORDER
- B. PLEDGE OF ALLEGIANCE



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NOVEMBER 14, 2018
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C. SALUTE TO THE NEW MEXICO FLAG

D. INVOCATION

E. ROLL CALL

F. PETITIONS FROM THE FLOOR

G. APPOINTMENTS

- Economic Development Advisory Committee
- Santa Fe Water Conservation Committee
- Parks and Recreation Advisory Commission

H. PUBLIC HEARINGS:

- 1) Request from Charlie Lay, LLC, dba Rustica, for a Transfer of Ownership and Change of Location of Inter-Local Dispenser Liquor License No. 0080 from Robert U. Olguin, dba Buckhorn Bar, Hwy 80, Bldg. 68, San Antonio, New Mexico to Rustica, 2574 Camino Entrada Road. (Yolanda Y. Vigil, City Clerk, yyvigil@santafenm.gov, 505-955-6521)
- 2) Request from Adobe Investors, LLC, dba Jinja Asia Cafe, for a Transfer of Ownership (Change of Stockholders) of Inter-Local Dispenser Liquor License No. 28014. This License will Remain at 510 N. Guadalupe, Suite P. (Yolanda Y. Vigil, City Clerk, yyvigil@santafenm.gov, 505-955-6521)

I. ADJOURN

Pursuant to the Governing Body Procedural Rules, in the event any agenda items have not been considered prior to 11:30 p.m. such items shall be postponed to a subsequent meeting, provided that the date, time and place of such meeting is specified at the time of postponement.

NOTE: New Mexico law requires the following administrative procedures be followed when conducting "quasi-judicial" hearings. In a "quasi-judicial" hearing all witnesses must be sworn in, under oath, prior to testimony and will be subject to reasonable cross-examination. Witnesses have the right to have an attorney present at the hearing.

Persons with disabilities in need of accommodations, contact the City Clerk's office at 955-6521, five (5) working days prior to meeting date.

SUMMARY INDEX
SANTA FE CITY COUNCIL
November 14, 2018

ITEM	ACTION	PAGE
1. Call to Order	Convened at 5:00 p.m.	1
5. Roll Call	Quorum Present	1
6. Approval of Agenda	Approved as presented	1-2
7. Approval of Consent Calendar	Approved as amended	2
8. Approval of Minutes - October 10, 2018	Approved as presented	2
9. Presentations:	None	3
10. Consent Calendar Listing	Listed	3-6
Consent Calendar Discussion		
e. HUD Shelter Fund Amendment	Approved	6-8
i. Security PSA Amendment	Approved	8-9
u. First Quarter Budget Amendments	Approved	9-10
v. Cannabis Legislation Resolution	Postponed	10-11
x. Gun Violence Legislation Resolution	Approved	11-12
y. MPO Funding Resolution	Approved	12-13
aa. 2019 Meeting Schedule	Approved	13-14
11. Affordable Housing Presentation	Informational	14-20
12. Liquor License Hearing Officers	Approved	20
13. Legal Services - TRD	Approved	20-21
14. Matters from the City Manager	Announcements	21-22
15. Matters from the City Attorney	None	22
15. Matters from the City Clerk	None	22
16. Communications from the Governing Body	Communications made	22-24
Recessed at 7:10		
Evening Session at 7:22	Quorum Present	24
F. Petitions from the Floor	Petitions Made	24-26
G. Appointments	Approved	26-27
H. Public Hearings		
1. Rustica Transfer of License Ownership	Approved	27-28
2. Jinja Transfer of License Ownership	Approved	28-29
I. Adjournment	Adjourned at 7:45 pm	29

**MINUTES OF THE
REGULAR MEETING OF THE
GOVERNING BODY
Santa Fe, New Mexico
November 14, 2018**

AFTERNOON SESSION

1. CALL TO ORDER AND ROLL CALL

A regular meeting of the Governing Body of the City of Santa Fe, New Mexico, was called to order by Mayor Alan Webber, on Wednesday, November 14, 2018, at approximately 5:04 p.m., in the Council Chambers at City Hall, 200 Lincoln Avenue, Santa Fe, New Mexico. Following the Pledge of Allegiance, Salute to the New Mexico flag, and the Invocation, roll call indicated the presence of a quorum, as follows:

Members Present

Mayor Alan Webber
Councilor Signe I. Lindell, Mayor Pro-Tem
Councilor Roman "Tiger" Abeyta
Councilor Mike Harris
Councilor Peter N. Ives
Councilor Christopher M. Rivera
Councilor Carol Romero-Wirth
Councilor JoAnne Vigil Coppler
Councilor Renee D. Villarreal

Members Excused

Others Attending

Erik Litzenberg, City Manager
Erin McSherry, City Attorney
Yolanda Y. Vigil, City Clerk
Carl Boaz, Council Stenographer

6. APPROVAL OF AGENDA

MOTION: Councilor Ives moved, seconded by Councilor Abeyta, to approve the agenda, as presented.

VOTE: The motion was approved on a voice vote with Mayor Webber and Councilors Abeyta, Harris, Ives, Lindell, Rivera, Romero-Wirth, Vigil Coppler and Villarreal voting in favor of the motion and none voting against.

7. APPROVAL OF CONSENT CALENDAR

Councilor Rivera requested discussion on item 10 (v), (y) and (aa).

Councilor Villarreal asked to be listed as a cosponsor of 10 (v) and (x).

Councilor Vigil Coppler requested discussion on item 10 (i).

Councilor Ives requested discussion on item 10 (e) and (u).

Mayor Webber requested discussion on item 10 (x).

MOTION: Councilor Rivera moved, seconded by Councilor Lindell, to approve the Consent Agenda as amended with items 10 (e), (i), (u), (v), (x), (y) and (aa) removed for discussion

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Webber, Councilor Abeyta, Councilor Harris, Councilor Ives, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler, and Councilor Villarreal.

Against: None.

Mayor Webber briefly stepped out of the meeting and Mayor Pro Tem Lindell chaired the meeting while he was out.

8. APPROVAL OF MINUTES: Regular City Council Meeting – October 31, 2018

MOTION: Councilor Ives moved, seconded by Councilor Vigil Coppler, to approve the minutes of October 31, 2018 as presented.

VOTE: The motion was approved on a voice vote with Councilors Abeyta, Harris, Ives, Lindell, Rivera, Romero-Wirth, Vigil Coppler and Villarreal voting in favor of the motion and none voting against.

Mayor Webber was not present for the vote.

9. PRESENTATIONS

There were no presentations.

10. CONSENT CALENDAR

- a) Request for the Approval of Amendment No. 1 to Memorandum of Agreement in the Total Amount of \$60,000 for Clinical Supervision of Navigation Services Provided by Santa Fe Fire Department Mobile Integrated Health Office (MIHO); Santa Fe County. (Andres Mercado, MIH Officer, ajmercado@santafenm.gov. 955-3604)
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- t) Request to Publish Notice of Public Hearing on December 12, 2018
 - 1. Bill No. 2018-22. An Ordinance Amending Subsection 6-17.2 to Remove References to the Economic Development Review Subcommittee; Repealing Section 5-17.6 Regarding the Economic Development Subcommittee; Amending Subsection 11-11.6 Regarding the Economic Development Review Subcommittee; Amending Subsection 11-11.8 to Remove References to the Economic Development Review Subcommittee; and Repealing Section 6-8 and 19-10 Regarding the Grievance Review Board (Mayor Webber) (Jesse Guillen, Legislative Liaison, jbgullen@santafenm.gov, 955-6518)
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Connection with the Bonds; Delegating Authority to the Mayor, City Manager, and Finance Director of the City to Determine the Exact Principal Amounts, Maturity Dates, Interest Rates, Prices, Redemption Features and Other Final Terms of the Bonds Pursuant to a Final Terms Certificate, Ratifying Action Previously Taken in Connection Therewith, and Repealing All Ordinances in Conflict Herewith. (Councilor Rivera) (Brad Fluetsch, Finance Planning & Reporting Officer, bjfluetsch@santafenm.gov, 955-6885)

- u) Pulled for discussion by Councilor Ives.
- v) Pulled for discussion by Councilor Romero-Wirth and Councilor Rivera.
- w) CONSIDERATION OF RESOLUTION NO. 2018-65. (Mayor Webber)
A Resolution Repealing Resolution 1998-77 Establishing the Parking Advisory Committee; Resolution 2014-14 Establishing the Apprenticeship Development Task Force; and Resolution 2014-19 Establishing the Community Hospital and Health Care Study Group. (Jesse Guillen, Legislative Liaison, jbguillen@santafenm.gov, 955-6518)
- x) Pulled for discussion by Mayor Webber and Councilor Villarreal.
- y) Pulled for discussion by Councilor Rivera.
- z) CONSIDERATION OF RESOLUTION NO. 2018-68 (Mayor Webber and Councilor Ives)
A Resolution Adopting the Sustainable Santa Fe 25-Year Sustainability Plan with the Goal of Achieving Carbon Neutrality by the Year 2040 (Shirlene Sitton, Environmental Services Division Director, sesitton@santafenm.gov, 955-2209)

A proposed amendment to this resolution by Councilor Romero-Wirth is incorporated herewith into these minutes as Exhibit 2.

- aa) Pulled for discussion by Councilor Rivera.

CONSENT CALENDAR DISCUSSION

- e) Request for Approval of Budget Amendment in the Amount of \$84,108.73 for Redistribution to the General Fund; and Request for Approval to Redistribute a Portion of These Funds (\$17,206.50) into the HUD Shelter Plus Care/Continuum of Care Grant Line Item. (Alexandra Ladd, Office of Affordable Housing Director agladd@santafenm.gov, 955-6346)

Councilor Ives said, "In the packet was an email that is exchange which maybe unique to my six years serving on this Governing Body. And I was curious why it was in there. It seemed to be leaving the details that certainly, I couldn't figure out how it would help us make any decision on this matter."

Ms. Ladd agreed it is unique and this item is quite unique. "Finance put the packet together and the entire list of documents, us trying to sort through how to program the funds that sat idle in an account for 15 years that nobody remembered were there; and also to reconcile a balance we had to fix for our HUD grant - both an old expense that resurfaced and a new expense that was caused by an inability to access the line of credit because we didn't have Staff who had the proper authorization when the Staff that did have the authorization was on leave. It is completely unique, and I don't expect to run into that ever again."

Councilor Ives asked if the expense she mentioned was incurred in 2013.

Ms. Ladd agreed the staff expense was incurred in 2013, and the error was that we did not ask HUD to pay us back, although it was an allowable expense. She couldn't say why it wasn't brought forward until now. But to make the Fund whole, it seemed like we should. The other expense was rent that we had reimbursed our recipients the cost of those rents. And, because of Finance Staff being on administrative leave, we couldn't access the funds and we exceeded the time limit from HUD for those funds to be drawn after the end of the grant term. They were acts of God we had no control over.

Councilor Ives understood and said it sounds like various policies associated with the documents were followed and observed. He noted the reference to a six-year period with HUD. He had a question about the City's retention policy of documents and asked if we were in compliance with our own policy.

Ms. Ladd said, "It wasn't a matter of how the documents were handled. The HUD grant is managed programmatically from my office, but finances controlled by Finance Staff and handled the reimbursement from HUD. It was not so much documentation, but the expense was not drawn timely against the grant."

Councilor Ives observed that there was a fund balance sitting out there and affiliated with a grant and the City should have maintained all documentation until the fund balance was utilized or returned.

Ms. Ladd clarified that it was local money left. It was a required local match to the federal grant. Back in 2003, the local match was set aside. The grant money was expended, and the local match was expended, and we had intended to apply for more, knowing then we had local match. Then she left in 2005, and HUD was not tracking that. It was just rolled over every year as part of the budget.

Mayor Webber returned to the bench.

Councilor Ives hoped we would learn and not repeat it again. Thanks.

MOTION: Councilor Ives moved, seconded by Councilor Harris, to approve the budget amendment and redistribution of funds as requested in Item 10 (e).

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Webber, Councilor Abeyta, Councilor Harris, Councilor Ives, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None.

- i) Request for Approval of Amendment No. 1 to Professional Services Agreement in the Total Amount of \$33,703.28 for Professional Security Services; Universal Protection Service, LP/DBA Allied Universal Security Services. (David Siler, Emergency Manager, dmsilver@santafenm.gov, 955-6537)

Councilor Vigil Coppler noticed in the memo and documentation it says this security service will add four hours to La Farge Library at \$4,000 and add 100 hours at Genoveva Chávez Community Center at \$1,928. She asked what she was missing there.

Mr. Silver said the memo should say four hours every Sunday, so it is a total of 212 hours over the course of the fiscal year.

The biggest difference is that the Genoveva Chávez Community Center has a Level One security officer and La Farge has a Level 2 security officer which costs more.

There are 3 levels. Level 3 is armed, Level two has pepper spray and level 1 has no weapon.

Councilor Vigil Coppler understood.

MOTION: Councilor Vigil Coppler moved, seconded by Councilor Lindell, to approve Amendment #1 to the Professional Services Agreement for security services in Item 10 (i).

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Webber, Councilor Abeyta, Councilor Harris, Councilor Ives, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None.

- u) CONSIDERATION OF RESOLUTION NO. 2018-64. (Finance Committee) A Resolution Relating to a Request for Approval of First Quarter Budget Amendments for Fiscal Year 2018/2019. (Andy Hopkins, Senior Budget Analyst, ajhopkins@santafenm.gov, 955-6177).

Councilor Ives noted the four different types of budget requests in this item. He observed that in the second segment covering the budget amendments not previously approved. A lot of them related to CIP projects and he didn't think that came before Public Works. He asked why it was not brought to the Public Works Committee for review.

Mr. Hopkins explained that those are all carry forward appropriations - the projects are ongoing.

Councilor Ives said he was aware of that. But anything that affects CIP should come to Public Works because the Committee tracks those projects. The total funding carried over was \$21 million so it was not insignificant. "So I make a formal request that it come to Public Works on a going forward basis."

The other question was on page 3 of the packet and on page 2 of the memorandum under section B, regarding reappropriation of unspent amounts that are entered in the prior year's City Council's budget authority and submitted for Governing Body approval by quarter.

In prior years, the Governing Body approved a policy to not approve carry overs but that they be brought back up for consideration. He asked if he missed something in a change to that policy. It surprised him to see that statement.

Mr. Hopkins said the critical part is the carry-forwards. We no longer do carry forwards as we used to in General Fund and other funds. Now it is mostly limited to grants and ongoing capital projects that get delayed. Grants don't always coincide with the fiscal year and some delayed capital projects keep running on.

The discussion that he had with the previous Finance Director was that they still need to be blessed by City Council on a quarterly basis so as not to shower the Council with a thousand BARs of carry forward items. So it was a decision with previous Finance Committee Chair, Councilor Dominguez.

Councilor Ives said he understood the logic of it and the rationale behind it. But he believed the Governing Body approved a policy that was contrary to that.

Councilor Ives also noted in that second section on things not previously approved by Council, two terms used: rebudgeted funds and reappropriated funds and asked what the distinction is in the two terms used.

Mr. Hopkins said it was just a choice on his part. Rebudgeted was to complete a project in a grant but they really mean the same thing.

MOTION: Councilor Ives moved, seconded by Councilor Rivera, to approve the resolution approving the first quarter's budget amendments in item 10 (u).

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Webber, Councilor Abeyta, Councilor Harris, Councilor Ives, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None.

- v) CONSIDERATION OF RESOLUTION NO. 2018-____. (Mayor Webber, Councilor Ives, Councilor Vigil Coppler and Councilor Harris)
A Resolution Urging the New Mexico State Legislature to Support and Enact Legislation Related to the Legalization, decriminalization, and /or Regulation of Cannabis and Cannabis Related Products for Recreational Use. (Jesse Guillen, Legislative Liaison, jbg Guillen@santafenm.gov, 955-6518)

Councilor Rivera was concerned because this is scheduled for Public Safety next Tuesday. He asked if there was any reason why this could not wait to the December meeting and let the Public Safety Committee weigh in on it.

He asked if Councilor Romero-Wirth was okay with a postponement. She was.

MOTION: Councilor Rivera moved, seconded by Councilor Ives, to postpone Item 10 (v) to the meeting on December 12, 2018.

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Webber, Councilor Abeyta, Councilor Harris, Councilor Ives, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None.

- x) CONSIDERATION OF RESOLUTION NO. 2018-66. (Mayor Webber, Councilor Harris, and Councilor Ives)
A Resolution Urging the New Mexico Legislature to Adopt Comprehensive Gun Violence Prevention Laws During the 2019 Legislative Session to Address Possession of Firearms by Domestic Violence Offenders Under Protective Orders, Child Access Prevention, Gun Violence Restraining Orders, Background Checks, and a Ban on the Sale of Bump stocks.
(Jesse Guillen, Legislative Liaison, jbguillen@santafenm.gov, 955-6518)

Mayor Webber said he pulled this item, so it would not fly under the radar. "A local government cannot restrict guns more than the State does. So I introduced a resolution to ask the State to deal with increasing gun violence; in schools around the country and workplaces." He invited Councilor Harris to speak to it.

Councilor Harris said, "It is about persistence. It is a problem that continues and not just a matter of media reporting. You could name Aztec and so many communities in our State. And we just finished up the political season and now there is an opportunity to make some changes. There will need to be a dialogue. I know people on the other side of this issue. My family is a long line of hunters and those types of activities. But there needs to be an understanding of the damage done by proliferation of guns. Hopefully, we can start to make some changes."

Mayor Webber recalled vividly last May and all the phone calls from media nationally about a gun shooting in a Santa Fe school. And there was a shooting. So he felt the Council needed to speak out on it and take measures that are thoughtful and considered; by no means punitive or finger-pointing but common sense. "And since we are preempted from doing it at our own local level, we can, at a minimum, raise our voices and ask the State Legislature to do the job or to change the Constitution so that we can speak on behalf of our local citizens here. I say that as someone who, it may seem odd when you look at me but when I was ten years old, I was a member of the NRA. My mom would drive my brother and me over to a shooting range in Alton, Illinois, run by a large corporation called Olin Mathieson. It was the largest ammunition manufacturer in the country. And my brother and I became very adept as target shooters, earning the badges and the awards from the NRA. And was actually very proud of my gun marksmanship and knowledge of how to use a rifle responsibly. That was a long time ago, and the world has changed dramatically. I believe this resolution will put us on record as asking for the right measures to be taken now, before anything does happen in Santa Fe, New Mexico. And we are all forced to be the public officials facing the camera from Santa Fe, Texas that morning. Thank you for allowing that statement."

MOTION: Councilor Harris moved, seconded by Councilor Villarreal, to approve the Resolution Urging the New Mexico Legislature to Adopt Comprehensive Gun Violence Prevention Laws as stated in Item 10 (x).

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Webber, Councilor Abeyta, Councilor Harris, Councilor Ives, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler, and Councilor Villarreal.

Against: None.

- y) **CONSIDERATION OF RESOLUTION NO. 2018-67.** (Councilor Vigil Coppler)
A Resolution Authorizing and Supporting the Submittal of the City's Project Application via the Santa Fe Metropolitan Planning Organization for New Mexico Department of Transportation Administered Funding from the Transportation Alternatives Program for Federal Fiscal Years 2020 and 2021 (Leroy Pacheco, Engineer Supervisor)
lnpacheco@santafenm.gov, 955-6853)

A proposed amendment to this resolution by Councilor Abeyta is incorporated herewith to these minutes as Exhibit 1.

Councilor Rivera had heard some concerns from residents in his district who thought we were not going to complete the trails in District 3 and that this was going to be the place where the money was going. He asked for Staff to speak to that - to provide the status of trail in District 3 that was supposed to go out to South Meadows.

Ms. Regina Wheeler explained that this is completely separate from that funding and this is for additional funding. That trail in District 3 is already underway and will be completed. She agreed to get the status information for trails in District Three.

Councilor Rivera thanked her since he could then share it with residents there, if she emailed it to him.

She agreed to do that.

MOTION: Councilor Rivera moved, seconded by Councilor Vigil Coppler, to approve the resolution authorizing and supporting the submittal of the City's project application via the Santa Fe MPO as stated in Item 10(y).

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Webber, Councilor Abeyta, Councilor Harris, Councilor Ives, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None.

z) CONSIDERATION OF RESOLUTION NO. 2018-68. (Mayor Webber and Councilor Ives)

A Resolution Adopting the Sustainable Santa Fe 25-Year Sustainability Plan with the Goal of Achieving Carbon Neutrality by the Year 2040 (Shirlene Sitton, Environmental Services Division Director, sesitton@santafenm.gov, 955-2209)

Mayor Webber went to item (aa) but was interrupted by Councilor Harris. Mayor Webber asked if someone wanted to talk to (z), (which was already approved).

MOTION: Councilor Ives moved, seconded by Councilor Harris, to reconsider our agenda and, if approved, would make a subsequent motion to remove item 10 (z) from the consent agenda in order that it might be discussed.

Councilor Romero Wirth was concerned that advocates probably left because that item was not pulled.

Mayor Webber agreed.

Councilor Harris said he had no questions and just wanted to make some comments.

Mayor Webber asked Councilor Harris if he could comment about it under Communications From the Governing Body.

Councilor Harris said he could do that.

The motion was not acted upon.

aa) Request for Approval of City of Santa Fe Schedule for 2019 City Council and Council Committee Meetings. (Yolanda Y. Vigil, City Clerk, [yyvigil@santafenm.gov](mailto:yvigil@santafenm.gov), 955-6521)

Councilor Rivera said he thought he saw a duplication of dates but couldn't find it

at that moment. If he found it later, he would email the Clerk.

MOTION: Councilor Rivera moved, seconded by Councilor Ives, to approve the City of Santa Fe Schedule for 2019 of City Council and Council Committee Meetings.

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Webber, Councilor Abeyta, Councilor Harris, Councilor Ives, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler, and Councilor Villarreal.

Against: None.

END OF CONSENT CALENDAR

- 11. ADVANCING AFFORDABLE HOUSING AND LIVABLE NEIGHBORHOODS: RECOMMENDATIONS FROM THE MAYOR'S TASK FORCE ON AFFORDABLE HOUSING** (Task Force Co-Chairs: Carol Luna-Anderson, Lifelink and Mike Loftin, Homewise; Task Force Members Dion Silva, LANB, Edgar Vergara, Chainbreaker; Tarrie Burnett, Homewise; and Alexandra Ladd, Office of Affordable Housing Director, agladd@santafenm.gov, 955-6346) (Information Only)

Mr. Mike Loftin spoke first, as a handout was shared with the Councilors. He said there were 23 people on the working group for Affordable Housing. They worked hard and reached consensus on a lot of things. The handout had a list of the major priorities. The real work is how to implement them. And the reason we are here is that we would welcome your help with this.

A copy of the handout is incorporated herewith into these minutes as Exhibit 3.

Mr. Loftin recognized the people of the task force and asked the member who were present to raise their hands.

Councilor Harris said there is a lot of energy for this. It is very optimistic for the future. "We were very focused on Affordable Housing strategy that needs to address all housing: the homeless; those who need an apartment; those who dream of owning their own home and those who own but need help fixing it. In that whole spectrum it creates livable neighborhoods. Affordable Housing and great neighborhoods go together. That is what we are committed to. Tonight, there are four items to highlight that can be moved on quickly - right now."

Carol Luna Anderson, head of Life Link would talk about the need for accessory units; Dion Silva from Los Alamos National Bank would talk about increasing funding for the Affordable Housing Trust Fund and making it a predictable source of funding; Ed Vergara, from Chainbreaker, would talk about the spectrum of affordable housing in the Mid-Town campus; and Alexandra Ladd for a transparent RFP to make City land available for affordable housing.

Carol Luna Anderson said that with any kind of housing, we have an opportunity to be creative and to meet what individual or family needs and to address situations, so people can live comfortably and happily and to be able to contribute to what they want.

Part of City Policy is accessible dwelling units which gives an opportunity to increase smaller housing to have land owners and property owners make Affordable Housing available. It is for permanent housing with a lease that is manageable. And an opportunity to be very creative with types that can be built without such a lengthy time to accomplish. Housing vouchers or subsidies can't be utilized and if this goes forward, we need a way to encourage incentives to make it an encouragement to accept vouchers for truly good housing.

Dion Silva said the Coalition proposes to start a trust fund from short-term rental revenues, GO Bonds , etc. to build the fund and a multitude of these sources can diversify it. We feel that will make it more sustainable in our community.

Ed Vergara read his statement as a member of Chainbreaker.

A copy of Mr. Vergara's statement is incorporated herewith to these minutes as Exhibit 4.

Alexandra Ladd said one of the things she appreciated about this report was that, although it is lofty, it is also realistic about what the City can do. In the work plan, we will be looking at medium term and long-term steps we can take for this comprehensive approach to leverage more investments and using the regulation stick but also the carrot. That is our direction now. This is not something I could just dream up but work but shared work among staff with stakeholders and the community to make sure everyone has equal access.

Clarene Burnett thanked all for the hard work we are doing and the Santa Fe Housing Action Coalition to see the work through. That said, it requires some dedication of resources to the Office of Affordable Housing and Land Use. That will be critical for the work to move forward. I encourage your support to work with us and the community. The Council's interest and support is critical to its success.

Mayor Webber thanked them for their remarkable service.

Councilor Abeyta was very interested in the proposed amendments to accessory units for room for a guest house. There are lots of owners that would add a rental unit if they didn't have to live on the property. Secondly, regarding Tierra Contenta, he noted the schools on the south side don't score as high and that may be because of the large concentration of families and children. He wanted to engage the schools, moving forward.

Councilor Vigil Coppler thanked the group who prepared this stellar presentation. This is not new. This group has been working at this for a long time. She would like to see us move from talking to doing and hope that doesn't take a long time. She would like to do what she can to move it forward. She hoped we don't get into NIMBY with this. If we are to have success in the City, we need to make strides. We should have optimism for Yes In My Back Yard and address any stigma with our city-owned land to provide incentives for builders and create housing. The City does own land in all parts of the City. Housing that is affordable is not a bad thing for any neighborhood. We need to be stronger in our approach to having people take care of their property. I get lots of complaints and don't want any of that to affect the perspectives for Affordable Housing.

She asked about a section in the report to include rent-restricted units within market rate rental projects. She knew that was not something we endorse in the current program. It seems to be an easy fix.

Ms. Ladd explained that there is a requirement in the Code now that 15% of affordable units be provided on site. But we have no mechanism for managing those units - no support services for people living there, no income certification process. The property manager of a market-rate property is not equipped to handle that either. So the idea behind the proposed amendment to the ordinance would be to create a process either through a partnership or a contract with a housing provider to the units and people in them taken care of through a subsidy program.

Councilor Vigil Coppler asked if that would be a long, drawn out process.

Ms. Ladd didn't think so and she is working with stakeholders for a smart way to do it.

Councilor Villarreal thanked the members for their work. She cared about the priority of housing related to preventing more gentrification in the community and displacement. She thought the housing problem started well before the 1980's.

At a recent Community Development Commission, she heard that the Santa Fe workforce is more than 53%, as stated in the report but more than 60% who live outside the City. She took a lot of points from the report with what the CDC is doing right now with HUD block grant and certain things we should do.

She referenced the list on page 11 and asked if what we are funding now should be increased to a higher level. She needed to understand that better. There is a section that speaks to funding and asked what the goal is.

Mr. Loftin pointed out that a lot has been done. Santa Fe is considered a leader in the country on inclusionary zoning - the CDC work. But in spite of all that, we are losing ground from the recession. We have ground to make up. They are not new issues and might always be with us. So the answer is that we need to do more while recognizing what has already been done. Recently, a lot of rental property has been approved and still it is not enough.

Councilor Villarreal saw another section that said we also need more market rate housing. So to Ms. Ladd, she asked when we would determine we have reached the market rate goal.

Ms. Ladd said we are never not prioritizing Affordable Housing. We need to get them in a supported environment. When vacancy rates are above 3%, it is near the goal.

Councilor Villarreal asked if the fee in lieu of is included in apartment projects. Do apartments have to accept rental vouchers? How do we get them accepted?

Ms. Ladd said she could not answer how the vouchers work for market-rate apartments. For any project that is subsidized, it is part of their land use agreement. And it might be a possible amendment to the inclusionary zoning ordinance.

Councilor Villarreal said the CDC has a very strict requirement on things we get to work on because of the funding regulation hoops. We spend so much time at CDC going through those hoops and need to focus on small grants, if such programs exist.

Mr. Loftin agreed that federal sources like CDBG have lots of red tape and regulation and HUD really likes to micro-manage local government. There is not money for small projects, so it must be used for larger projects. Figuring out a way to incentivize or mandate housing vouchers is being worked on. It is hard to get a voucher but even harder to find a unit. But we think there are some ways to do it.

Councilor Villarreal pointed out that predatory renting is not expressed. And evictions without cause. A bilingual landlord-renter hotline would help.

Ms. Ladd agreed. Many years ago, the City got five years' funding from HUD for education outreach in the Fair Housing Act. We educated landlords and tenants. The landlords shaped up a lot. And we do have State landlord tenant law in New Mexico. The big issue is that people don't fully understand their rights; nor do the landlords understand their requirements and responsibilities.

Councilor Villarreal said the other two pieces not explicitly stated, are existing housing rehabilitation grants, but are very small and difficult without any essential infrastructure.

The other is the housing trust model. Did you talk about that model?

Mr. Loftin said that was mentioned in the report. There are lots of legal questions on what a municipality can do. We are working on it.

Councilor Villarreal observed that we have a lot of Air BnB taking away housing for residents away for short-term rentals. We want the City to support the Affordable Housing efforts but don't have enough staff to look at serious options, etc. We do need more staff to deal with it.

Councilor Ives thanked them for the focus on this issue. He asked if the HUD "point in time count" was ever done.

Ms. Luna Anderson said they were done but they were not accurate. They must do it next in 2019 and they are supposed to deal with it over a week. So it was very much an undercount last time.

Councilor Ives felt what was missing was dealing with the NIMBY issue. He had introduced a measure for increasing housing for homeless and that issue was shot down by NIMBY-ism. He hoped this approach will help us reconsider some of those things. He would love to get input for his introduction to make it stronger and more significant. He also didn't see gentrification tackled in the report. There was more information here tonight. It will continue to be a significant issue in our city. The Mid-town link and other overlay will affect what policies we can put in place.

Councilor Harris said he has been in the construction business here since the mid-1970's so he understood how difficult it is. He appreciated the full spectrum as a path for success. Our formula will never get us where we want to be.

He said the program is well administered by Ms. Ladd and her staff. To engage marketplace is essential. And vilification should not be part of this. He has seen a change and was hopeful there. A lot of staff members are going to be a part of this. But he didn't hear Finance Staff mentioned but they will need to be a part of it. This is property tax season. Ten percent goes to the City of Santa Fe. We need a hard discussion on the use of property tax to help solve the problem.

Regarding NIMBY-ism, he had asked about the Northwest Quadrant and nobody could produce the plan. He was given a four-inch binder on legal arguments because it was so contentious. The School Board filed an appeal against a Planning Commission approval of a Master Plan.

Councilor Harris pulled out a copy of Northwest Quadrant Master Plan from 2009, which was a large notebook. It has eight different goals, but we haven't gotten there. He thought they needed to go beyond District 3 and District 4. The Master Plan anticipated 773 homes, broken out by thirds among affordable housing, step-up housing and then market-rate housing. It has been done before. We must look at Tierra Contenta and how it was created. Workforce housing is anticipated for the Mid-Town property. But we need to revisit the Northwest Quadrant. Thank you for your efforts and good luck to us all.

Councilor Romero Wirth thanked the task force for their work and for the idea of looking at the full spectrum and the need for housing across the spectrum. Derelict houses are another that she often hears about. Finding a funding stream is important and she hoped they will continue the effort.

Mr. Silva said to Councilor Vigil Coppler that the task force did talk about NIMBY at the meetings. They discussed renters' rights and taxes. He said the report could have been 500 pages - from homelessness to temporary structure, etc. Discussion of those issues could add value to our work. We will continue to be involved and need the Council's advocacy and support.

Mayor Webber said the Working Group's effort is remarkable - not just from the outcome but because of the span of people who participated and the ability of Santa Feans to address the spectrum of housing that will allow the City to continue to flourish as a city, to keep and attract the families we want, the work force we need, and residents to keep vibrancy from all parts of Santa Fe and charting a path for the future of Santa Fe. It runs right through the Land Use Department with issues of planning, zoning, use of space and representing the diversity of our community. This is really a unified effort for a better future.

The most important idea he got from this work was that there are some things to work on right away. And work has already been done, like, accessory dwelling units that can be addressed and adjusted and also a policy look at short-term rental units. Trust that we are doing the right thing and not just adding fuel to the fears and can end up with a solution. We can issue RFPs and RFQs for city land and the schools have land and perhaps the county has land.

Mayor Webber acknowledged Councilor Abeyta's approach in Tierra Contenta for neighborhood and schools to attend. There are also five Opportunity Zones that will be looked at and for using the market as a positive tool to get things done. The fee in lieu of option is bringing dollars for Affordable Housing. That is already a work in progress.

He announced a visit from RoseAnn Hagerty in a national tour for a coalition to take chronic homelessness down to zero.

Thanks to all who came tonight to speak on housing and make neighborhoods livable This is highest priority and deserves the time now and in the future.

12. REQUEST FOR APPROVAL OF DESIGNATION OF LIQUOR LICENSE HEARING OFFICERS. (Erik Litzenberg, City Manager, ejlitzenberg@santafenm.gov, 955-6848)

Mr. Litzenberg clarified the recent ordinance allows Council to designate two hearing officers for liquor license hearings and recommendations. We published the announcement and interviews happened .Christopher Graeser and Richard Frias were chosen as Hearing Officers and they will hold hearings and their recommended decisions will be put on the consent agenda. If you pull them, you will get the report, but no new evidence provided. If the Governing Body doesn't act in 30 days, the State Alcohol and Gaming Division can make a final decision. There is also an intent to review this procedure after a year.

MOTION: Councilor Lindell moved, seconded by Councilor Harris, to approve the designation of Liquor License Hearing Officers Christopher Graeser and Richard Frias.

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Webber, Councilor Abeyta, Councilor Harris, Councilor Ives, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None.

13. REQUEST FOR APPROVAL OF LEGAL SERVICES AGREEMENT FOR REPRESENTATION IN CASE AGAINST THE NEW MEXICO TAXATION AND REVENUE DEPARTMENT, BASED ON A CONTINGENCY FEE OR NEGOTIATED FEES; GALLAGHER & KENNEDY. (Erin McSherry, City Attorney, ekmcsherry@santafenm.gov, 955-6961)

Ms. McSherry said this is a request to enter a legal services agreement for a contingency fee with Gallagher & Kennedy for representation for this purpose. It is potentially a value of over \$50,000, depending on how the litigation goes. On page 2 is the stratified contingency fee in sections A through C. If the dispute is resolved through alternative dispute resolution within one year, the fee is 10% of up to \$4million and 3% for amounts above. If it extends beyond one year, the fee is 12.5% to \$4 million and 5% for amounts above. And, if resolved at trial, the fee is 15% up to \$4 million and 10% for any amount above. The total fee is limited to \$50,000 and shared among all the parties involved. There are currently four cities: Albuquerque, Artesia, Farmington and Moriarty. It is anticipated that ten to twenty other local governments will join the litigation. The

litigation was filed on October 29. It has come directly to Council because the litigation has already been filed.

MOTION: Councilor Ives moved, seconded by Councilor Abeyta, to approve participation in the Legal Services Agreement for Representation in Case Against the New Mexico Taxation and Revenue Department, Based on a Contingency Fee.

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Webber, Councilor Abeyta, Councilor Harris, Councilor Ives, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None.

Councilor Ives requested a copy of the complaint.

Ms. McSherry agreed to provide it.

14. MATTERS FROM THE CITY MANAGER

Mr. Litzenberg had two matters. The first was the City's Christmas Party on December 7 to which he invited all Councilors.

Councilor Romero-Wirth asked how to buy tickets.

Mr. Litzenberg said he would send that information by providing a link.

The second matter was from Finance. The City today sold \$20 million in Senior lien GRT bonds at AA+ rating and true interest cost of 3.637%. Bond buyers submitted \$75 million in bids, so we are an attractive investment. Major projects include \$8 million for public safety, \$6 million for Fire Station #2, \$2 million for the public safety radio system, \$2.5 million for South Meadows, \$4.3 million for GCCC, and \$700,000 for Fort Marcy and \$500,000 for the Soccer Valley; as well as money for City facilities that include City Hall and Siringo Road.

He recognized the timing was advantageous and very intentional. Our Finance Staff is doing wonders for the future. We should all be proud of what happened.

Mayor Webber added his thanks to City Finance Team - it came out before the Fed raised its rate again, so we are beneficiaries of the team's excellent work and why Santa Fe is a great investment. He believed the money will be well spent. It allows us to have a lower interest rate and benefit people at a lower cost. We owe a huge vote of

gratitude for this strategy and now need to manage it carefully. It is a real testimony for the quality of the folks managing finances for us.

15. MATTERS FROM THE CITY ATTORNEY

There were no matters from the City Attorney.

16. MATTERS FROM THE CITY CLERK

There were no matters from the City Clerk.

17. COMMUNICATIONS FROM THE GOVERNING BODY

A listing of the Bills and Resolutions Scheduled for Introduction by Members of the Governing Body is incorporated herewith to these minutes as Exhibit 5.

Councilor Harris had notes to submit to Beth Beloff regarding the 25-year Sustainability Plan. He wanted them to focus on Transportation and they had the triple bottom line and a high priority on carbon and how they assess things. It is a good document. But roughly 50% of greenhouse gas is related to transportation and needs to stay at a high ranking. It also relates to the Arroyo Chamiso Crossing Study.

He is introducing a resolution requesting the legislature to amend the Aviation Act to allow imposing landing fees. SB 18 passed last year and was pocket vetoed by Governor Martínez. It is a step to make our airport sustainable.

Councilor Ives joined as cosponsor on Councilor Harris' resolution and of Mayor Webber's resolution and the ordinance by Councilor Rivera. He is introducing a resolution for land transfer at 4491 Cerrillos Road to the State for the exchange transfer of multiple tracts of state-owned property to the City of Santa Fe. He added that Councilor Romero-Wirth is a co-sponsor.

Councilor Lindell joined as a co-sponsor with Councilor Harris' resolution. She asked of City Manager Litzenberg to have a memo to the Governing Body for the policy on how to go about legislative service activities.

Secondly, you can buy turkeys for 45 cents/lb. She will be delivering 20 more turkeys tomorrow to the Food Depot. By the time it is said and done, within City Hall, she hoped to be able to deliver over 100 turkeys and was looking at all of the Councilors.

Councilor Villarreal announced that Adelante is seeking food donations and looking for people to help fix boxes for Thanksgiving. She was thankful for all Councilors for celebrating Thanksgiving and hoped each one enjoyed the time off.

Councilor Rivera found the dates in question for the 2019 schedule. The October 7th Public Works was listed as a Tuesday and October 8 Council Meeting were both listed as a Tuesday. He thanked Mayor Webber and Councilor Abeyta and the Public Works Director for the ride-along in District 3 to deal with areas of concern.

He also thanked the City for the great Veterans' Day Parade and for all the police and fire staff and all the veterans who helped with that along with other City Staff. Happy Thanksgiving to everyone.

He said he would sign on to Councilor Harris's resolution and Mayor Webber's and Councilor Ives's resolution and introduce his resolution authorizing the assignment of authorized officers and agenda, and also an ordinance to authorize the City to enter into a loan agreement with the New Mexico Environment Department.

Lastly, he said we have waited for the salary study and it is overdue. He asked if he needed to file an IPRA to get a copy of the compensation study. He knew it cost the City a lot to get it, so it would be good to get to see it.

Councilor Abeyta said as Chair of the Finance Committee, he wanted to thank Mary McCoy and the Finance Staff for the sale of bonds and to Finance Committee and Public Works Committee for getting that together. It was quite a learning experience. It is now time for Ms. Willard to carry the ball and get the projects done in order to sell more bonds in twenty-four more months.

Councilor Vigil Coppler signed on the Harris resolution regarding the airport. Some of the others, she was not sure about.

To Mr. Litzenberg, she said the public is continuing to complain about the lack of life guards and inability to use the pools. If there was a way for each recreation center who must close the pool or change the hours for lack of staffing to have that updated on the website for each rec center, it would help. She related that one gentleman drove all over the city and no pool was available to swim in. It is an issue we must figure out. It is very important. I echo Councilor Rivera's request for the compensation study. It is really important. So I'm waiting patiently for it.

Mayor Webber introduced a resolution in support of the Siler Road project. It puts us back on record as taking one more shot at getting this project built. Councilor Lindell reminded us about hunger in Santa Fe and a couple of weeks ago we went to the Food Depot and learned a powerful lesson, sitting down with folks to hear what it costs to pay for rent, medical, transportation, food and how much money a typical family of four have to live on with two wage earners and it doesn't work. There is a clothing

drive on for staying warm this winter. So as we head to Thanksgiving, lets help all who are hungry, cold and in need. He thanked Councilor Lindell for her service and to others for their part.

The Governing Body meeting was recessed at 7:10 p.m.

EVENING SESSION – 7:22 P.M.

A-E. CALL TO ORDER AND ROLL CALL

The regular meeting of the Governing Body of the City of Santa Fe, New Mexico, was called back to order for the evening session by Mayor Alan Webber, on Wednesday, October 31, 2018, at approximately 7:22 p.m., in the Council Chambers at City Hall, 200 Lincoln Avenue, Santa Fe.

Present at the meeting were:

Members Present

Mayor Alan Webber
Councilor Signe I. Lindell, Mayor Pro-Tem
Councilor Roman “Tiger” Abeyta
Councilor Mike Harris
Councilor Peter N. Ives
Councilor Christopher M. Rivera
Councilor Carol Romero-Wirth
Councilor JoAnne Vigil Coppler
Councilor Renee D. Villarreal

Members Excused

Others Attending

Erik Litzenberg, City Manager
Erin McSherry, City Attorney
Yolanda Y. Vigil, City Clerk
Carl G. Boaz, Council Stenographer

F. PETITIONS FROM THE FLOOR

Mr. Bill Roney , an almost 50-year resident, married, and owner of the Outdoorsman, the only independently owned gun store in Santa Fe, thought he represented thousands of legal gun owners, conscientious people who have concerns about this proposal. We are all on the same page to have a safe and sane society with

the rights guaranteed of legal gun owners are not ill considered. "As I read over some of the whereases that lead to your proposal, I wanted to share with you, as a federally licensed gun owner, some things that are not factual. And I want you to please consider them for effective action, rather than just emotional.

Whereas, New Mexico law does not limit the number of firearms that can be purchased at one time - All federally licensed gun dealers must, and we must submit any multiple weapon acquisition - any time a person buys more than one hand gun, or more than one semi-automatic rifle - we must submit an authorized acquisition form to the chief law enforcement officer who is the Sheriff, who then, if there is any reason to further investigate that individual, must take action. And even the federal government insists from time to time, that we must submit similar records to them."

He showed Form 4473 - with a prohibition against anyone who has committed a violent act.

Thirdly - no assault rifle. There is a law that prohibits without special licenses a purchase of fully automatic weapons. Those are heavily regulated and background checks on all gun purchases are required. They are all regulated heavily now. The law does regulate sales now. Just like pharmaceuticals and as pilots, we are heavily regulated.

Mayor Webber said he would come to Mr. Roney's store.

Mr. Roney said he has sold 50,000 firearms to people in Santa Fe and his constituency is law abiding citizens. He asked Council to please take both sides into factual consideration.

Mr. Eric Gent, on Alarid Street, said he grew up in a hunting family. He encountered a man with a side arm getting out of the truck. He shared a picture with each Councilor. "I respect people's right under the Second Amendment but on the Plaza on a Saturday afternoon. Can we start by making the heart of our City safe to prevent them from coming? I don't think they are trying to protect me but I'm hyper vigilant. What can we do as a first step to say weapons are not welcome here?"

Mr. George Robinson, long-time resident. "I'm here to speak to the man on the Plaza with the gun. It was at the time the synagogue was shot up. I've been forcing myself to ignore those mass shootings. I was walking to the Plaza and walked straight into this man. He has every right to address his political view. He had a Trump hat on and a star of David shirt and a firearm. I'd rather see open carry than concealed carry. But he was disturbing in my mind. I asked him what he was doing there, and he wouldn't answer and put his hand on his weapon and I felt in fear for my life. I left him alone and called 911 and they told me he was totally within his rights and I asked if they could get to talk with him but offered to talk with me. I wondered if it was legal to carry a weapon if it was legal to carry a gun in a park and could not find it anywhere. I don't feel

safe with guns on the Plaza. I wish we could have gotten someone to talk with him and hope we can fairly enforce the ordinance in the public parks. He still appears at the Plaza and at various places around town. One was Big Lots. We do need to do something to help people feel safe. Tourists would not feel safe. I would appreciate if officers would encourage him to not be at the Plaza.”

Mr. Elda Varrasco said, “I’ve traveled much. This is the only Whole Foods Market in which I’ve seen an armed security guard. Perhaps in a Walmart but in Whole Foods. I ran into a gentleman who verbally accosted me with a Star of David on a necklace and Trump shirt and hat. Fortunately, the security guard did approach him, so they are keeping an eye on him now.

On Election Day, I held a sign in Spanish for people to vote. The same man approached me and asked me if I was voting for Trump. And I said now. And he verbally accosted me again. So this gentleman is out there. The Plaza is one place where people should not be at with guns. That is one place where tourists are directed to. That should be a gun-free zone. At least one spot should be gun-free.”

A man who did not identify himself said, I’m one of Bill Roney’s customers. And I agree with what he says. Regarding the Whole Foods armed guard, Whole Foods decided to do that about 10-12 years ago because of a shooting in a Texas Whole Foods Store when a robber came in and he shot one of the employees and one of the customers and there was no armed security. Jay is the officer at our Whole Food Store who carries a gun. The owner decided specifically to have armed security because of the shooting in Texas. I agree with Bill Roney and I don’t believe additional gun control will help.”

G. APPOINTMENTS

- **Economic Development Advisory Committee**

Holly Bradshaw-Eakes	Reappointment	Term ending 6/2020
John Feins	Reappointment	Term ending 6/2020
Sean O’Shea	Unexpired Term	Term ending 6/2020
Tamara Duran	Unexpired Term	Term ending 6/2020
Robert H. Lurcott	Unexpired Term	Term Ending 6/2020

MOTION: Councilor Vigil Coppler moved, seconded by Councilor Abeyta, to approve the Mayor’s appointments to the Economic Development Advisory Committee as presented.

VOTE: The motion was approved on a voice vote with Mayor Webber, and Councilors Abeyta, Harris, Ives, Lindell, Rivera, Romero-Wirth, Vigil Coppler and Villarreal voting in favor of the motion and none voting against.

- **Santa Fe Water Conservation Committee**

Thomas Scott Bunton	Reappointment	Term ending 7/2020
Robert D. Coombe	Reappointment	Term ending 7/2020
Ken Kirk	Reappointment	Term ending 7/2020
Tim Michael	Reappointment	Term ending 7/2019
Doug Pushard	Reappointment	Term ending 7/2019
Lisa Randall	Reappointment	Term ending 7/2019
Bill Roth	Reappointment	Term ending 7/2019
Stephen Wilman	New appointment	Term ending 7/2019
David B. Carlson	Unexpired Term	Term ending 7/2020
Stephen V. Schmelling	Unexpired Term	Term ending 7/2020

MOTION: Councilor Romero-Wirth moved, seconded by Councilor Vigil Coppler, to approve the Mayor's appointments to the Santa Fe Water Conservation Committee as presented.

VOTE: The motion was approved on a voice vote with Mayor Webber and Councilors Abeyta, Harris, Ives, Lindell, Rivera, Romero-Wirth, Vigil Coppler and Villarreal voting in favor of the motion and none voting against.

- **Parks and Recreation Advisory Commission**

Patricia Cardona	Reappointment	Term ending 1/2020
David Sidebottom	Reappointment	Term ending 1/2020

MOTION: Councilor Villarreal moved, seconded by Councilor Vigil Coppler, to approve the Mayor's appointments to the Parks and Recreation Advisory Commission as presented.

VOTE: The motion was approved on a voice vote with Mayor Webber and Councilors Abeyta, Harris, Ives, Lindell, Rivera, Romero-Wirth, Vigil Coppler and Villarreal voting in favor of the motion and none voting against.

H. PUBLIC HEARINGS

- 1) Request from Charlie Lay, LLC, dba Rustica, for a Transfer of Ownership and Change of Location of Inter-Local Dispenser Liquor License No. 0080 from Robert U. Olguin, dba Buckhorn Bar, Hwy 80, Building 68, San Antonio, New Mexico to Rustica, 2574 Camino Entrada Road. (Yolanda Y. Vigil, City Clerk, [yyvigil@santafenm.gov](mailto:yvigil@santafenm.gov), 955-6521)

Ms. Vigil presented the request to the Governing Body. She indicated the location was not within 300 ft of church or school. Construction was not completed. So she recommended conditional approval and that the applicant must comply with all permits and licenses and City rules and ordinances.

Public Hearing

Ms. Linda Akin, attorney for the applicants, Josh Baum and wife Ann Gordon, who are interested in having a second restaurant where the Outback was previously located.

There were no other speakers from the public regarding this case and the public hearing portion was closed.

MOTION: Councilor Lindell moved, seconded by Councilor Abeyta, to approve the Request from Charlie Lay, LLC, dba Rustica, for a Transfer of Ownership and Change of Location of Inter-Local Dispenser Liquor License No. 0080, subject to recommended conditions.

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Webber, Councilor Abeyta, Councilor Harris, Councilor Ives, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Vigil Coppler, and Councilor Villarreal.

Against: None.

2) Request from Adobe Investors, LLC, dba Jinja Asia Café, for a Transfer of Ownership (Change of Stockholders) of Inter-Local Dispenser Liquor License No. 28014. This License will Remain at 510 N. Guadalupe, Suite P. (Yolanda Y. Vigil, City Clerk, yyvigil@santafenm.gov, 955-6521)

Ms. Vigil presented this request which is a change of stockholders. The location is not within 300' of a church or school. She recommended approval with the condition that the applicant comply with all ordinances.

Public Hearing

Mr. Maurice Bonal, representing this item, explained that the owner, Ms. Helen Brawley died, and this property goes to her son and daughter and continues as a transfer of stock to them.

There were no other speakers from the public regarding this case and the public hearing portion was closed.

MOTION: Councilor Lindell moved, seconded by Councilor Vigil Coppler, to approve the request from Adobe Investors, LLC, dba Jinja Asia Café, for a Transfer of Ownership (Change of Stockholders) of Inter-Local Dispenser Liquor License No. 28014.

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Webber, Councilor Abeyta, Councilor Harris, Councilor Ives, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Vigil Coppler, and Councilor Villarreal.

Against: None.

I. ADJOURN

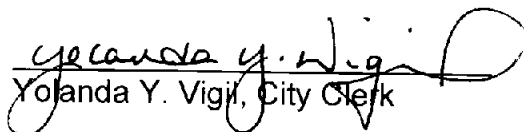
Mayor Webber declared the meeting adjourned at 7:45 p.m.

Approved by:



Mayor Alan Webber

ATTESTED TO:


Yolanda Y. Vigil, City Clerk

Respectfully submitted:



Carl G. Boaz, Council Stenographer

CITY OF SANTA FE, NEW MEXICO
PROPOSED AMENDMENT(S) TO RESOLUTION NO. 2018-__
NMDOT TAP Funding

Mayor and Members of the City Council:

I propose the following amendment(s) to Resolution No. 2018-__:

1. On page 2, *delete* lines 4-5
2. On page 2, *delete* lines 15-16

Respectfully submitted,

Roman Tiger Abeyta, City Councilor

ADOPTED: _____

NOT ADOPTED: _____

DATE: _____

Yolanda Y. Vigil, City Clerk

CITY OF SANTA FE, NEW MEXICO
PROPOSED AMENDMENT(S) TO RESOLUTION NO. 2018-__
Sustainability Plan Adoption

Mayor and Members of the City Council:

I propose the following amendment(s) to Resolution No. 2018-__:

1. On page 2, line 21 *delete* “, with” and *insert* “as a guidance document for policy and programs using suggested strategies to reach” in lieu thereof

Respectfully submitted,

Carol Romero-Wirth, Councilor

ADOPTED: _____

NOT ADOPTED: _____

DATE: _____

Yolanda Y. Vigil, City Clerk



**Recommendations from the
Advancing Affordable Housing
and Livable Neighborhoods
Advisory Group**

**Strengthening Households and
Neighborhoods by Supporting a
Healthy Housing Spectrum**

September 2018

Advisory Group Chairs:

Mike Loftin	CEO, Homewise
Carol Luna-Anderson	Executive Director, The Life Link

Advisory Group Members:

Karen Baker	Writer-Editor
Peter Bastone	CEO, Anchorum St. Vincent (formerly SVHsupport)
Simon Brackley	CEO, Santa Fe Chamber of Commerce
Carmichael Dominguez	Former City Councilor
Shelly Felt	Executive Director, Youth Shelters and Family Services
Kurt Hill	President, Santa Fe Association of Realtors
Hank Hughes	Executive Director, New Mexico Coalition to End Homelessness
Jennifer Jenkins	Principal, JenkinsGavin, Inc.
Joe Jordan-Berenis	Executive Director, Interfaith Community Shelter
Kevin Kellogg	Executive Director, The Housing Trust
Wendy Lewis	Executive Director, McCune Foundation
Rick Martinez	Neighborhood Network
Allan Oliver	Executive Director, Thornburg Foundation
John Padilla	Architect
Tomás Rivera	Executive Director, Chainbreaker
Ed Romero	Executive Director, Santa Fe Civic Housing Authority
Kim Shanahan	Executive Officer, Santa Fe Area Home Builders Association
Dion Silva	Market President - Santa Fe, Los Alamos National Bank
Bill Smith	President and CEO, Santa Fe Community Foundation
Ernesto Torres	Grant Management Coordinator, McCune Foundation
Daniel Werwath	CEO, New Mexico Inter-faith Housing

Introduction

The term affordable housing is complex. To a homeless person it may mean free because they cannot afford any sort of payment. Affordable for a single mom raising three children is different than for a single person. Some people will be comfortable paying a significant percentage of their income, a percentage others would consider unaffordable, in order to purchase a home because they want the investment benefit of ownership and have confidence in their future earnings. Others will feel stretched even paying the government's typical definition of affordable (1/3 of income) because they face additional cost burdens like paying for medical treatment or supporting distant family. In other words, there is no one definition of affordable housing. A better way to think of the type of housing a community needs is to look at the spectrum of housing that is needed by all members of the community and work to make it accessible and equitable. The goal is to ensure that no one is left out.

The segments of the housing spectrum are interconnected and people move through it over the course of their lives. Helping someone who is homeless transition to permanent housing creates a need for more rental housing. If a renter becomes a homeowner, it frees up a rental unit for someone else and creates new demand in for-sale homes. If a homeowner decides that renting better meets their needs for any reason, a home becomes available for a homebuyer.

Upward mobility within the housing spectrum is usually a positive step for individuals and for our community. People typically seek to move along the housing spectrum in an effort to improve their quality of life and, in some cases, to build financial security. As people move up from subsidized forms of housing into market-rate housing, they reduce their use of scarce public and charitable resources.

Achieving housing affordability in Santa Fe would mean the workforce can live and spend their wages here, children can focus on school instead of adapting to multiple moves, neighborhoods and families are more stable, and the city reaps the benefits of connected and committed members of the community. A healthy housing spectrum contributes to a stronger community overall, creating livable neighborhoods and, ultimately, a thriving city.

The Advancing Affordable Housing and Livable Neighborhoods Advisory Group

The work of this group began when [eight mayoral advisory groups](#) were formed with representation from community leaders in their respective fields. The Advancing Affordable Housing and Livable Neighborhoods group was comprised of more than 20 business, philanthropic, financial, and non-profit leaders who met six different times as a group and in numerous other breakout sessions, resulting in hours of discussion, debate, research and consensus-building. This report is a collation of the work of this advisory group, addressing Santa Fe's housing needs and potential responses with an emphasis on equity. We conclude with recommended actions that the City and the greater community can take to enact real change.

Santa Fe's Housing Problem

Santa Fe has grappled with its affordable housing problem since the early 1990s. In response, city officials and civic leaders designed and implemented programming and committed resources to increase the supply of affordable housing and provide assistance to those struggling to access decent housing. Today, the City continues to support many of these initiatives as well as adapt them to meet emerging housing needs. Santa Fe is nationally recognized for its leadership in addressing an issue other high-housing-cost cities have hardly contemplated. Despite Santa Fe's efforts, the affordable housing problem has gotten worse in recent years, negatively affecting the well-being of families, neighborhoods, and the economy.

According to a 2018 report by UNM's Bureau of Business & Economic Research, 53% of Santa Fe's workforce live outside of the city of Santa Fe. Of these commuters about 32% travel more than 25 miles to their jobs and 20% commute over 50 miles each way. Because people spend the bulk of their wages near where they live, not near where they work, the wages these employees earn in Santa Fe are spent outside the local economy. In 2007, Homewise quantified the loss to Santa Fe's economy due to the high rates of in-commuting, estimating a loss of \$301.6 million each year. The commuting numbers have worsened since then and a new analysis of the economic impact of Santa Fe's workforce living outside the city would likely reveal an even greater loss to Santa Fe's economy today.

More than half of the employers surveyed for the [2013 City of Santa Fe Housing Needs Assessment](#) believe affordable housing is either "one of the more serious problems" or "the most critical problem" facing our community. Affordable housing and the cost of living remain the most common reasons given for leaving or refusing to accept a job. In a survey conducted for Santa Fe's Housing Needs Assessment, 72% of in-commuters who left Santa Fe cited the high cost of housing as their reason for moving.

For many, the housing problem is truly a crisis. Hundreds of Santa Feans are homeless or at risk of becoming homeless. More than 6,000 households are paying more than half their income on rent, leaving little else for basic needs like food and medicine (let alone long-term financial security and upward mobility that comes from saving and investing). The unavailability of affordable housing within reach across all parts of the spectrum puts thousands of Santa Fe residents and workers in a financially precarious position. The fabric of the community is weakened as precious resources—people's time, energy, and money—are drawn away by high housing costs or long commutes. Short-term rentals such as Airbnb and VRBO are popular in our historic city and may be impacting the long-term rental market. The advisory group recognizes that this issue needs more study and accurate data to determine the true scope of the problem.

Santa Fe's current housing situation includes unmet needs along every aspect of the housing spectrum. By addressing the needs across the entire spectrum and focusing on adapting services and opportunities within that spectrum, we can maximize our impact and help people improve their housing and overall well-being. The housing spectrum encompasses a continuum of needs broken down into the following broad categories:

Preventing and Providing Pathways Out of Homelessness

Increasing the Availability and Affordability of Rental Housing

Improving the Accessibility and Affordability of Homeownership

Preventing and Providing Pathways Out of Homelessness

PROBLEM:

Efforts to quantify the extent of the homelessness problem are notoriously challenging because the population is fluid and often invisible. The most widely used technique is called the Point in Time Count conducted regularly by the U.S. Department of Housing and Urban Development, which reports there are an estimated 112 individuals in Santa Fe at any given time who are chronically homeless and need housing assistance with long-term support services. There are an additional 112 people who are temporarily homeless due to an immediate crisis (domestic violence, eviction, etc.) and who would benefit from the [Rapid Re-housing model](#). Taken together, the total number of individuals in need of permanent supportive housing and rapid rehousing is at least 224 (according to HUD data), although most homelessness experts agree the actual number is probably higher.

In addition, the City of Santa Fe reported in its 2017 Affordable Housing Plan that an additional 6,327 households were at risk of becoming homeless because they were paying more than half their income for housing. Santa Fe's high cost of housing, as demonstrated by the number of households paying half their income for housing, combined with our low vacancy rate exacerbates the risk of homelessness. One analysis¹ indicates that for people who were once homeless, the risk of returning to homelessness was 60% more likely in housing markets with vacancy rates of less than 5%. Santa Fe's current vacancy rate of less than 3% increases the risk of homelessness for those who are precariously housed.

People who experience homelessness are a diverse group with a variety of factors contributing to their homelessness.² Local advocates and service providers agree that a Housing First approach is most effective in preventing extended homelessness and providing a pathway to stable housing. [Housing First](#) is the philosophy and best practice framework of ensuring that safe housing is the number one priority for homeless people irrespective of any status that would exclude them from housing, such as active substance use, legal status, or criminal history. The Housing First strategy combines rapid rehousing to meet immediate housing needs of those experiencing homelessness and permanent supportive housing to provide a long-term path to stable housing.

Permanent supportive housing refers to housing that offers residents a range of support services designed to promote wellness, recovery, and resiliency. These services include case management, behavioral health and prescription management, navigating medical and social service systems, and relationship support, such as volunteers and mentors. Supportive housing creates a continuum of care that maximizes positive outcomes and puts individuals on a stronger foundation for long-term success.

Increasing the number of market-rate rental units along the pricing spectrum also expands opportunities for subsidized renters who become more financially stable to afford market-rate rents. Once currently subsidized households reduce their dependence on subsidy sources, units and resources are freed up for those with more severe and/or chronic needs.

¹ Office of Policy Development and Research (PD&R) U.S. Department of Housing and Urban Development, "Evaluation of the Rapid Re-housing For Homeless Families Demonstration (RRHD) Program", April 2016.
<http://nhihr.org/article/hud-releases-final-report-rapid-re-housing-outcomes>

² <http://www.nrcdeh.org/pages/homelessness.html>

RECOMMENDED STRATEGIES:

The Advisory Group created a list of recommended strategies which contain a variety of actions that can be taken immediately and some that will take more time. Some of these tactics are private sector based, others are in the public sector realm, and still others require a public-private partnership. The recommendations fall into three main categories: supportive social services, rental assistance, and new units. Supportive social services provide assistance and guidance to help people understand and connect to the resources that address their housing issues as well as the underlying challenges that contribute to their homelessness. Rental assistance helps renter households afford available housing and meet other housing-related costs, such as utilities. Creating new units increases our rental housing supply, reduces the upward pressure on rental rates, and provides more rental options. Strategies can also include increasing the availability and capacity of existing buildings through acquisition, rehabilitation, and preservation.

Supportive social services

- Create a client navigation [tool](#) to help people connect with the right service for them.
- Expand scope of tenant/landlord hotline to include outreach with bilingual capacity, focusing on collaborative funding partnerships to continue and support expansion.
- Expand workforce training programs such as [Better Way](#) to help people transition into the workforce.
- Develop a pilot program for the City to contract with a social enterprise such as Better Way that hires homeless people to provide appropriate city services, such as park maintenance, watershed management, etc.
- Use City funds to help leverage federal and other funding to fill gaps where federal funding cannot be used.
- Improve access to existing behavioral health programs.

Provide rental assistance to vulnerable populations

- Dedicate new and expand existing funding sources for rapid rehousing: emergency rental and/or utility assistance over a long enough period of time to stabilize the household.
- Continue to seek funding for, and deploy, rental assistance for permanent supportive housing.

Create and/or acquire new scattered-site rental units and existing rental units that will rent to vulnerable populations who also need supportive services

- Provide incentives to landlords to accept rental vouchers, including helping landlords comply with [Housing Quality Standards](#), providing repair insurance, etc.
- Provide City-owned land to subsidize the construction of permanent supportive housing units.
- Support congregate housing model that allows for shared leases in order to accommodate more than one person under one lease.
- Revise the Santa Fe Homes Program so that it is feasible to include rent-restricted units within market-rate rental projects.

Increasing the Availability and Affordability of Rental Housing

PROBLEM:

The city's rental vacancy rate is at a historic low of 3%, or half of the rate of 6-7% that is considered healthy.³ This shows that demand for rental housing is in excess of available supply. Various reports have indicated that Santa Fe has a shortage of approximately 5,000 rental housing units. According to the City's Affordable Housing Plan, 2,435 units need to be affordable to households earning less than \$25,000 a year in order to fill the gap of what's needed. In order for these units to be affordable, the monthly rent needs to be below \$625, a rent that typically is not possible without the help of some kind of affordable housing subsidy. The shortage of market-rate rental units contributes to the shortage of affordable units because too many people are pursuing too few rental units, pushing up the rental rates across the price spectrum and putting pressure on families with lower incomes who are in the same market for the available supply. Additional units, even market-rate units, all along the price spectrum would help to relieve the pressure placed on the limited supply. It is important to note that some households with annual incomes above \$25,000 are also candidates for homeownership. When they do pursue the homeownership option, they reduce the need for new rental housing affordable to that income level.

RECOMMENDED STRATEGIES:

The Advisory Group's recommendations focus on creating new rental units and making better use of existing units. The strategies fall into three categories: (1) Developing and preserving rental units. (2) Leveraging rental opportunities in existing neighborhoods, referring to strategies that would help the community make better use of existing rental units and land capacity. (3) Creating mixed-use zoning standards, encouraging the inclusion of rental housing in many areas of the city; this would also encourage the type of development that is responsive to the needs of the entire community in a changing economy.

Develop new and preserve existing affordable and market-rate rental housing projects

Make City-owned land available for the development of new rental housing that is affordable to a range of income levels.

Support the development of new affordable and market-rate rental housing projects, including projects financed with Low-Income Housing Tax Credits, 9% Tax Credits, and private sector financing. City support could include providing gap financing, land donations, fee waivers, density bonuses, and streamlining land use development approvals.

Revise the Santa Fe Homes Program to incentivize the inclusion of rent-restricted units reserved for income-qualified tenants within market-rate rental projects.

Develop strategies to preserve existing subsidized units so that they remain affordable into the future beyond the term of their initial compliance period.

Encourage the development of live/work units that meet the needs of the new economy.

Move the development of Tierra Contenta forward so that it can provide land for new multi-family housing.

Modify the Affordable Housing Trust Fund funding process so that it can provide funding commitments to leverage stronger Low-Income Housing Tax Credit program applications.

³ <http://www.northeastern.edu/hugglejournal/2016-04/20/how-vacancy-rate-points-to-an-unaffordable-housing-market/>

Incentivize the affordability of rental units in existing neighborhoods through Accessory Dwelling Units and facilitating small infill and/or conversion projects

Make regulations governing Accessory Dwelling Units (ADUs) more flexible so that it is easier for homeowners to add a casita (an ADU) to their property.

Encourage the development, conversion, and preservation of live/work units that meet the needs of the new economy.

Encourage the development of small-scale infill rental units in existing neighborhoods.

Provide incentives to landlords so that they are better able and more willing to accept rental vouchers.

Create mixed-use zoning standards that encourage affordable housing development accompanied with a mix of uses that benefit local residents and the city as a whole

Ensure the Midtown LINC area and the City-owned Midtown Campus include affordable rental housing.

Expand the Midtown Overlay Zoning type to other appropriate areas of the city to encourage higher-density development that includes affordable housing and other amenities.

Revise current zoning code to make it easier to provide live/work spaces as well as provide amenities that benefit new and existing neighborhoods.

Improving the Accessibility and Affordability of Homeownership

PROBLEM:

Homeownership is an opportunity many Santa Feans would like to pursue, but most current renters face two main obstacles to home purchase. First, there is a lack of entry-level homes that are affordable to working families, even for those with stable incomes. This is why so many of these families and individuals move to Albuquerque and Rio Rancho where their wages are sufficient to purchase a home. Second, even when the Santa Fe market does offer homes a working family can afford, oftentimes this household cannot access the kind of financing they need, especially when they have to compete with investors and speculators who are vying for the same homes.

In most housing markets in New Mexico a household with an annual income of at least \$25,000 can afford to purchase a home. For these families homeownership is an effective way to stabilize their housing expense and build long-term financial security. Because of Santa Fe's high-cost homeownership market, many families with incomes above \$25,000 cannot purchase a home without some form of assistance. Census data show there are just over 12,000 renter households in Santa Fe earning \$25,000 or more, accounting for 65% of all renter households. But there is a mismatch between the sales price of homes and the purchasing power of those renter households. Sales data from the 12 months leading up to May 2018 shows the majority of homes sold were above the \$200,000 price point. Below that price, the inventory was relatively scarce. Just 307 homes sold for \$200,000 or less in the one-year period, representing only 13% of all sales. Of those sales, 40% were bought on a cash basis, a strong indicator that the purchaser was an investor. This data suggests that if Santa Fe is going to provide homeownership opportunities to working families and individuals, it will need to increase efforts to prepare the buyers so

that they can qualify for financing to purchase homes currently being snapped up by investors. Of those 12,000 renter households that are good candidates for homeownership, just over 5,300 would need to find a home priced below \$200,000. This is 44% of the likely homeownership demand pool, but in the current market (2018) only 13% of the sales are in this price range. This data shows a compelling need to increase the supply of homes priced below \$200,000.

In addition to the affordability challenge, people also have other obstacles to buying a home, most especially the difficulty in qualifying for a mortgage. Credit score challenges, consumer debt, and savings for a down payment are all common challenges for would-be buyers. Homewise finds that over 75% of households who come to Homewise are not qualified for a mortgage and need help to save for a down payment, improve their credit rating, and/or reduce consumer debt. Those who are not mortgage qualified benefit from coaching and education to improve their financial profile, but this kind of assistance is time intensive and is not provided by traditional mortgage lenders.

RECOMMENDED STRATEGIES:

The City of Santa Fe has long been supportive of efforts to help Santa Feans achieve homeownership as evidenced by its direct support of local housing providers, the Tierra Contenta initiative, and inclusionary housing policies. But with Santa Fe's continued popularity and limited supply of available homes, homeownership continues to be a vexing problem. The Advisory Group identified additional recommendations to improve access to homeownership, which fall into two categories: increasing the supply of affordable homes and helping families overcome barriers to mortgage qualification. Increasing supply refers to those recommendations that help local builders and landowners create more units, especially those units affordable to low- and modest-income households. However, an affordable unit will be of no use to a family if they can't qualify for the loan, so the strategies to help families overcome barriers to mortgage qualification should be expanded.

Increase supply of affordable homes

- Make City-owned land available for the development of new affordable homes.

- Support the development of new affordable and market-rate for-sale homes, including projects financed with New Markets Tax Credits and private sector financing. City support could include providing gap financing, land donations, fee waivers, density bonuses, and other means.

- Maintain the Santa Fe Homes Program to incentivize the inclusion of affordable units within market-rate home projects.

- Move development in Tierra Contenta forward so that it can provide land for new housing.

- Promote new models of homeownership including smaller homes on smaller lots and multi-unit homeownership units such as townhomes and condos as a way to reduce the cost of homeownership.

Help families overcome barriers to mortgage qualification

- Increase funding for mortgage principal buy-down resources in order to increase buyer capacity to afford homes.

- Expand the diversity and availability of mortgage financing with low down payment requirements and without mortgage insurance.

- Continue to support homebuyer and financial education and coaching.

Supporting Neighborhoods

The Advisory Group members agree that the ultimate goal of Santa Fe's affordable housing efforts is to create a vibrant and inclusive community for all Santa Feans. To achieve this goal requires attention not just to individual households but to neighborhoods as well. Housing efforts often raise concerns in nearby neighborhoods: How will the character of the neighborhood change? Will existing residents be displaced if projects increase surrounding property values? How can we help support the quality of life and conditions in neighborhoods?

Housing can, and should, be consistent with the goals to improve the equity, vibrancy, and quality of life in neighborhoods, and the community can take additional steps to support that effort. The Advisory Group developed several recommendations that would support neighborhood vitality, and these fall into three general categories. First, we should ensure that our land use and real estate development process is sensitive to existing neighborhoods and prevents displacement. This means having an open and transparent development process that welcomes input. The second and third categories focus on preserving and promoting rental housing and homeownership opportunities to help existing residents stay in their neighborhoods.

Ensure a land use and real estate development process that is sensitive to enhancing neighborhood quality of life and preventing involuntary displacement

- Ensure there is early and representative neighborhood engagement and a transparent development approval process.
Ensure there is high-quality design work for both site plans and vertical construction.
- When appropriate, provide for the inclusion of other uses that would benefit residents of existing neighborhoods (restaurants, day care centers, parks, etc.).
- Support developments that are accessible to, and appropriate for, existing neighborhood residents to help avoid displacement.

Create and preserve affordable rental housing in vulnerable neighborhoods while helping tenants stay in their homes

- Make it easier for homeowners to add Accessory Dwelling Units that can accommodate aging parents or caregivers.
Encourage the development of small-scale infill rental units in existing neighborhoods.
Identify existing affordable housing projects and develop strategies to preserve them as affordable into the future to help avoid displacement.
Provide incentives, such as subsidies for deposit and maintenance for landlords to rent to low-income and underserved populations.
Focus on collaborative funding partnerships to continue and support expansion of the tenant/landlord hotline to include outreach with bilingual capacity.
Pursue strategies that help protect mobile home owners who rent their spaces.

Help low- and moderate-income households purchase homes and maintain their homes in vulnerable neighborhoods

Provide affordable home improvement loans to low- and moderate-income homeowners, including loans for solar and weatherization, helping homeowners to sustain their investments and maintain property values.

Provide homebuyer assistance to low- and moderate-income households to purchase homes to avoid displacement, encouraging family cohesion.

Provide homebuyer classes, financial education, and foreclosure counseling.

Provide support and educational classes to help families passing housing on to the next generation, including estate planning services, financing, etc.

Preserve the affordability of homeownership through subsidy recapture provisions, land trusts, and other strategies.

Provide assistance for home improvements, including improvements that enable seniors to age in place.

What Can the City of Santa Fe Do?

A key charge of the Advisory Group was to develop actionable recommendations that the City of Santa Fe could initiate in short order. The Advisory Group agreed upon the following most critical actions, many of which would benefit more than one aspect of the housing spectrum.

Funding and Financing

- Dedicate \$3 million annually in predictable funding to the Affordable Housing Trust Fund (AHTF) through resources such as revenue from short-term rentals or dedicating a portion of CIP Funds, GRT revenue, or property tax revenue to affordable housing. General obligation bonds can also provide a predictable source of funding as evidenced in [Albuquerque](#).

Help to create and capitalize a venture capital fund for affordable housing that would provide financing and technical assistance to housing providers who are able to complete some functions, such as building homes and operating permanent supportive housing, but need help with other aspects, such as real estate acquisition and infrastructure development.

Create a program in which the City contracts for the provision of certain city functions with social enterprises that provide workforce training and employment to low-income and homeless people as a way to provide important city services while helping people escape poverty and enter into permanent housing. The program could be modeled after past and existing efforts, such as Life Link's Better Way program that cleans up trash in public areas or YouthWorks' program that improved the area's watershed. Services the City could contract for might include park and roadside maintenance, trail maintenance and improvements, and watershed management.

Utilize existing City financial resources dedicated to affordable housing in ways that maximize their effectiveness, leverage, etc. Look for more flexible sources for smaller programs (rather than HUD sources that have intensive compliance requirements), allowing staff to be more efficient in using their time on housing needs.

Investigate the use of revenue bonds as a possible way to finance the construction of affordable housing.

City-Owned or Controlled Property

Donate appropriate City-owned land for affordable housing through a transparent RFP process. This will encourage innovation from the private sector and ensure the City is leveraging local resources.

Move development in Tierra Contenta forward so that it can provide opportunities for constructing new rental and homeownership housing.

Ensure the Midtown LINC includes a significant amount of affordable rental and ownership housing. The City should consider utilizing overlay zoning similar to that used in the Midtown LINC area in other appropriate areas of the city to encourage higher-density development that includes affordable housing and other amenities.

Explore how the City could acquire land controlled by other public sector entities, such as state, federal, and public school land near the Midtown Campus and other areas, for the development of mixed-use projects that include affordable housing.

Develop and initiate strategies for how to use other large parcels of City-owned land, such as the Northwest Quadrant, Siler Road, and the Water Street parking lot.

City Policy

Initiate a process to obtain accurate data that is driven by the City to be used across sectors (Office of Affordable Housing, Public Works, Economic Development), allowing the City and the community to better understand problems and leverage data to make good decisions.

Ensure appropriate funding and staff for the City Office of Affordable Housing to effectively implement these recommendations.

Promote the development of Accessory Dwelling Units (ADUs) by making the requirements and approval process less burdensome and by supporting the creation of a loan program that would help homeowners finance the construction of ADUs.

Revise City codes and guidance so that current zoning categories are not essentially downzoned because of conflicting requirements and overlays.

Improve the process of neighborhood engagement during the development approval process.

Develop a more efficient development approval method that speeds up the costly process while ensuring adequate community input.

Revise the Santa Fe Homes Program to facilitate the development of more rental units for low-income renters and those in need of permanent supportive housing that includes the right incentives to reduce costs related to compliance. For example, the City could reduce a greater portion of permit and impact fees as well as provide for a greater portion of water rights than it does currently.

Another option would be to provide a greater density bonus for affordable projects than is allowed under the current ordinance. These solutions can still allow for a fee-in-lieu-of option but would incentivize building permanently affordable units where the greatest housing needs exist.

Improve mixed-use zoning standards to encourage affordable housing development accompanied with a mix of uses that benefit existing neighborhood residents.

Conclusion

In 1959, famed football coach Vince Lombardi took the helm of the Green Bay Packers, a team that had suffered eleven losing seasons in a row. A reporter asked Lombardi what he was going to change to turn the losing team around, and Lombardi explained that he wasn't going to change anything. Rather, the team was going to concentrate on becoming brilliant on the basics. Five championships later, Lombardi had demonstrated the power of effective execution, which is exactly what Santa Fe needs in order to make progress on one of our most important challenges.

Santa Fe's affordable housing issue is vexing and will require resources, tenacity and, most of all, leadership to address it. But it is not a problem that requires any new genius; it is a problem that requires us, as a community, to do more of what we already know works: effectively deploy financial resources available to us, take advantage of the land we already control, and adapt our policies to align with our housing goals. With a focus on brilliant execution, backed by the kind of leadership that tough problems demand, we can create the opportunity for all Santa Feans to live within their means in the city they love.

Hello Mayor and City Councilors, my name is Edgar Vergara. I am 23 years old. I have been a member of Chainbreaker Collective since I was 10 years old. Chainbreaker is a member-led environmental and economic justice organization with over 700 members like myself. We're proud to be part of this group and to have helped in creating and presenting this plan.

It's important to me because I grew up on West San Francisco St., 700-Block, that was a very low-income neighborhood with low opportunity and resources for youth. The only reason my mom was able to provide me and my brothers a safe future was because of housing support. I am still struggling with finding housing that I can afford. I am currently surfing couches.

There are many other people that are dealing with the same situation that me and my family were in. Resources are not being shared with everyone equitably. The voices of people like myself and my family are often ignored. But I believe that there are enough resources for us to have enough living and safe spaces for every Santa Fean. I'm here today to add my voice to the hundreds of Chainbreaker members and the many organizations represented in this plan.

The parts of the plan that are most important to me and my community are the recommendations for the "Midtown Campus". The city has the land and the opportunity to start solving some of these deep issues and start helping families like mine. With an **equitable and transparent outreach process**, we can avoid the problems that have lead to the housing and equity crisis that I grew up with. We can start healing the growing divides our city faces. An equitable and transparent outreach process will ensure that people like me have a voice in how the property develops.

The plan also reiterates the importance of a **Midtown Campus that includes the full spectrum of housing** so that families like mine growing up can live in a central part of town and be unafraid of getting displaced. So that I can live next to my mom and brothers. So that as my mom ages, she can continue to live near me. If we want to have a true community there, it must include the full spectrum of housing.

As a Chainbreaker leader, we are committed to continuing to work with you, with city staff and with members of this group to build coalition and continue this work. Thank you for the opportunity to participate and present this report. An equitable and transparent outreach process for the Midtown campus that includes the full spectrum of housing is only the first step in a long journey to heal the divisions in Santa Fe and make sure that our city remains livable for me and people like me into the future. Thank you for considering this and the other important recommendations presented in this plan.



CITY COUNCIL MEETING OF
November 14, 2018
BILLS AND RESOLUTIONS SCHEDULED FOR INTRODUCTION
BY MEMBERS OF THE GOVERNING BODY

Mayor Alan Webber		
Co-Sponsors	Title	Tentative Committee Schedule
	A RESOLUTION CONTRIBUTING PROPERTY AND RESOURCES TO NEW MEXICO INTER-FAITH HOUSING COMMUNITY DEVELOPMENT CORPORATION FOR DEVELOPMENT OF THE SANTA FE ARTS+CREATIVITY CENTER LOW INCOME HOUSING TAX CREDIT PROJECT PURSUANT TO THE AFFORDABLE HOUSING ACT.	Public Works Committee – 12/10/18 Finance Committee – 12/17/18 City Council – 1/9/19
Councilor Roman Tiger Abeyta		
Co-Sponsors	Title	Tentative Committee Schedule
Councilor Mike Harris		
Co-Sponsors	Title	Tentative Committee Schedule
	A RESOLUTION URGING THE NEW MEXICO LEGISLATURE TO SUPPORT AND ENACT LEGISLATION AMENDING THE AVIATION ACT TO ALLOW FOR THE IMPOSITION OF LANDING FEES.	Public Works Committee – 12/10/18 City Council – 12/12/18
Councilor Peter Ives		
Co-Sponsors	Title	Tentative Committee Schedule
Romero-Wirth	A RESOLUTION APPROVING THE EXCHANGE AND TRANSFER OF ONE TRACT OF CITY-OWNED REAL PROPERTY LOCATED AT 4491 CERRILLOS ROAD TO THE STATE OF NEW MEXICO IN EXCHANGE FOR THE TRANSFER OF MULTIPLE TRACTS OF STATE-OWNED REAL PROPERTY TO THE CITY OF SANTA FE.	Public Works Committee – 12/10/18 Finance Committee – 12/17/18 City Council – 1/9/19
Councilor Signe Lindell		
Co-Sponsors	Title	Tentative Committee Schedule

Councilor Chris Rivera		
Co-Sponsors	Title	Tentative Committee Schedule
	A RESOLUTION AUTHORIZING THE ASSIGNMENT OF AUTHORIZED OFFICER(S) AND AGENT(S).	Public Utilities Committee – 12/5/18 Finance Committee – 12/17/18 City Council – 1/9/19
	AN ORDINANCE AUTHORIZING THE CITY OF SANTA FE (“BORROWER”) TO ENTER INTO A LOAN AGREEMENT WITH THE NEW MEXICO ENVIRONMENT DEPARTMENT (“NMED”) FOR THE PURPOSE OF OBTAINING PROJECT LOAN FUNDS IN THE PRINCIPAL AMOUNT OF \$2,000,000.00 PLUS 2.375% ACCRUED INTEREST; DESIGNATING THE USE OF THE FUNDS FOR THE PURPOSE DEFINED IN THE MOST CURRENT PROJECT DESCRIPTION FORM AS APPROVED BY NMED; DECLARING THE NECESSITY FOR THE LOAN; PROVIDING THAT THE LOAN WILL BE PAYABLE AND COLLECTIBLE SOLELY FROM THE BORROWER’S PLEDGED REVENUES DEFINED BELOW; AND PRESCRIBING OTHER DETAILS CONCERNING THE LOAN AND THE SECURITY FOR THAT PURPOSE.	Public Utilities Committee – 12/5/18 City Council (request to publish) – 12/12/18 Finance Committee – 12/17/18 City Council (public hearing) – 1/9/19
Councilor Carol Romero-Wirth		
Co-Sponsors	Title	Tentative Committee Schedule
Councilor Renee Villarreal		
Co-Sponsors	Title	Tentative Committee Schedule
Councilor JoAnne Vigil Coppler		
Co-Sponsors	Title	Tentative Committee Schedule

Introduced legislation will be posted on the City Attorney’s website, under legislative services. If you would like to review the legislation prior to that time or you would like to be a co-sponsor, please contact Jesse Guillen, (505) 955-6518, jbguillen@santafenm.gov or Linda Vigil at (505) 955-6501, lfvigil@santafenm.gov.